

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of May 21, 2004.

Reconsideration of the Application is requested.

The Office Action

Claims 1-23 remain in this application. Claims 1, 6-8, 11, 14-16 and 18-23 have been amended. Claims 2-5, 9-10, 12-13 and 17 remain as originally presented.

No new matter has been added. It is believed that the claims are in condition for allowance. As discussed below, the Examiner's rejections are traversed and favorable consideration is requested.

As indicated in the Office Action,

Claims 1-23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatenable over claims 1, 3, 16 and 18 of copending Application No. 09/768,148.

This rejection is traversed for the following reasons.

The Examiner argues that the conflicting claims are not patentably distinct from each other because the claims of the present invention are considered broader than the claims of Application 09/768,148. Respectfully, this is improper reasoning as discussed in the MPEP 804, page 800-20. According to the MPEP, domination by itself is not grounds for a double patenting rejection. Domination occurs if one patent application has a broad claim which reads on an invention defined in a narrower claim in another patent application. MPEP 804. Accordingly, a double patenting rejection is not supported with regard to Claims 1-23 as related to the claims of Application 09/768,148. In addition, the claims of the present application have been amended to more clearly define the claimed subject matter of the present application.

Claims 1-8, 11-15, 17-20 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,845, 265 to Woolston.

This rejection is traversed for the following reasons.

The claims have been amended to more clearly define the claimed subject matter. Specifically, independent claims 1, 11 and 23, and all claims that depend therefrom, have been amended to establish the claimed subject matter to include: "associate one or more of a plurality of work sites with each of said users, each worksite defining a group of users;" and "associate items with one or more of a plurality of work sites using validation rules;." The specification discusses these features on page 5, para. 1-2. The validation rules are used to associate items of inventory with specific work sites that define a work group of users. For example, a work site can be based on the user's geographical location and the validation rules may be used to associate items of inventory based on the jurisdictional requirements of the work sites geographical location. Insurance forms, medical forms, etc. are good examples of items that have jurisdictional requirements based on state requirements.

Woolston does not discuss a system or method for generating a requisition for user selectable items that includes a work site and validation rules as currently claimed in the present application. Woolston discloses a method and apparatus for creating a computerized market for used and collectable goods. (abstract) Woolston discloses a dealer to dealer market and a retail market that do not use validation rules, as claimed, to associate items with work sites that are defined as a group of users. (Woolston at col. 15, line 43- col. 16, line 26) In addition, the Examiner argues that dependant claim 8, claiming a validation rule database used to associate items with a work site, is disclosed by Woolston at col. 15, line 43 - col. 16, line 26. The Examiner is respectfully requested to specifically discuss support for this assertion.

Woolston discloses a system that qualifies users based on whether or not they are dealers or buyers. (Woolston at col. 15, line 43- col. 16, line 26) Buyers are not restricted from purchasing items; dealers are restricted to offer items that are in conformance with their prearranged agreements with their suppliers or bailors as described. (Woolston at abstract; see also col. 16, lines 6-8) This is distinguished from the presently claimed subjected matter because the users, as

claimed and described in the specification, are limited to what they can requisition based on the work site associated with the user. In other words, the present application is directed to a system of requisitioning items that limits the user's ability to requisition items based on validation rules. In contrast, Woolston does not limit the purchaser/requestor of the available items for purchase; Woolston discloses limiting the sellers ability to sell specific categories of goods. Accordingly, Woolston does not teach each and every element of the claimed subject matter and claims 1-8, 11-15, 17-20 and 23 are not anticipated by Woolston, U.S. Patent 5,845,265. The Examiner is respectfully requested to withdraw this rejection.

Claims 1-6, 8, 10-18, 20 and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,970,475 to Barnes et al.

This rejection is traversed for the following reasons.

As discussed above, the claims have been amended to more clearly define the claimed subject matter. Specifically, independent claims 1, 11 and 23, and all claims that depend therefrom, have been amended to establish the claimed subject matter to include: "associate one or more of a plurality of work sites with each of said users, each worksite defining a group of users;" and "associate items with one or more of a plurality of work sites using validation rules;." The specification discusses these features on page 5, para. 1-2. The validation rules are used to associate items of inventory with specific work sites that define a work group of users. For example, a work site can be based on the user's geographical location and the validation rules may be used to associate items of inventory based on the jurisdictional requirements of the work sites geographical location. Insurance forms, medical forms, etc. are good examples of items that have jurisdictional requirements based on state requirements.

Barnes et al. does not discuss a system or method for generating a requisition for user selectable items that includes a work site and validation rules as currently claimed in the present application. Barnes et al. discloses an electronic procurement system and method that has the option of limiting access to certain supplies by certain employees or groups of employees. (Barnes et al. at col. 23 lines 14-26) The Applicant's claimed subject matter is distinguishable

from Barnes et al. because the claimed validation rules are used to associate items to particular work sites. The validation rules enable user access to only relevant inventory items associated with the users work site. Barnes et al. limits access to suppliers based on individuals or purchase groups. (Barnes et al. at Fig. 16) Barnes does not provide any intelligence that would enable a procurement process that could include determinations of proper procurement items based on jurisdictional requirements. Accordingly, Barnes et al. does not teach each and every element of the claimed subject matter and does not anticipate claims 1-6, 8, 10-18, 20 and 22-23. Accordingly, the Examiner is respectfully requested to withdraw this rejection to these claims.

Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,970,475 to Barnes et al. in view of U.S. Patent Number 6,415,320 to Hess et al.

This rejection is traversed for the following reasons.

As discussed above regarding Claims 1-6, 8, 10-18, 20 and 22-23 as being rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,970,475 to Barnes et al., the Applicant's claimed subject matter is distinguishable from Barnes et al. because the claimed validation rules are used to associate items to particular work sites. The validation rules enable user access to only relevant inventory items associated with the users work site. Barnes et al. limits access to suppliers based on individuals or purchase groups. (Fig. 16) Barnes does not provide any intelligence that would enable a procurement process that could include determinations of proper procurement items based on jurisdictional requirements. Therefore, Barnes et al. in view of Hess et al. does not teach all of the claimed limitations of claims 7 and 19. Accordingly, the Examiner is respectfully requested to withdraw this rejection to these claims.

Claims 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,845,265 to Woolston in view of U.S. Patent Number 6,636,863 to Friesen.

This rejection is traversed for the following reasons.

As discussed above, regarding Claims 1-8, 11-15, 17-20 and 23 as being rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,845, 265 to Woolston, the present application is directed to a system of requisitioning items that limits the user's ability to requisition items based on validation rules. In contrast, Woolston does not limit the purchaser/requestor of the available items for purchase; Woolston discloses limiting the sellers ability to sell specific categories of goods. Therefore, Woolston in view of Friesen does teach all of the claimed limitations of claim 9 and 21. Accordingly, the Examiner is respectively requested to withdraw this rejection to these claims.

Claims 10 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,845,265 to Woolston in view of U.S. Patent Number 5,987,423 to Arnold et al.

This rejection is traversed for the following reasons.

As discussed above, regarding Claims 1-8, 11-15, 17-20 and 23 as being rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,845, 265 to Woolston, the present application is directed to a system of requisitioning items that limits the user's ability to requisition items based on validation rules. In contrast, Woolston does not limit the purchaser/requestor of the available items for purchase; Woolston discloses limiting the sellers ability to sell specific categories of goods. Therefore, Woolston in view of Arnold et al. does teach all of the claimed limitations of claim 10 and 22. Accordingly, the Examiner is respectively requested to withdraw this rejection to these claims.

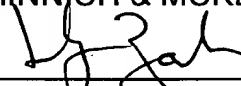
CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-23) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

The undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Jeff Zahn, at Telephone Number (216) 861-5582.

Respectfully submitted,
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Date: September 21, 2004

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